



Ratification Status

On February 15, 1999, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions entered into force for twelve of the thirty-four signatories: Bulgaria, Canada, Finland, Germany, Greece, Hungary, Iceland, Japan, Korea, Norway, the United Kingdom, and the United States. These countries have all enacted implementing legislation (with one exception), ratified the Convention, and deposited an instrument of ratification with the OECD. The United Kingdom has deposited its instrument of ratification with the OECD but is still considering whether it will utilize its existing legislation to implement the Convention or seek to enact new legislation.

On May 20, 1999, Austria deposited its instrument of ratification with the OECD, followed by Mexico on May 27, 1999, and Sweden on June 8, 1999. Others have both ratified the Convention and passed implementing legislation, but as of June 10, 1999, no other signatories had deposited instruments of ratification with the OECD. According to Article 15 of the Convention, the Convention will enter into force for a signatory sixty days after it deposits its instrument of ratification with the OECD. Many other signatories are well advanced in their internal legislative and ratification process. The table on page 7 provides information, as of June 10, 1999, on all signatories with regard to ratification, enactment of imple-

menting legislation, deposit of instrument of ratification, and entry into force of the Convention.

The Convention's effectiveness for reducing bribery will be constrained until all signatories—particularly the major exporting countries—have become parties and have implemented the Convention's provisions. The United States has therefore given a high priority to encouraging signatories to complete their ratification procedures and begin enforcing the Convention. U.S. efforts to encourage other signatories to ratify and implement the Convention have ranged from public statements by senior U.S. officials to direct senior-level contacts with foreign governments.

For example, in February 1999, Vice President Albert Gore stressed the importance of prompt ratification at a major international conference on fighting corruption that he hosted in Washington. Representatives of many signatory countries were in attendance. The U.S. Secretaries of Commerce, State, and Treasury, and senior officials of these agencies, have also used a variety of opportunities to remark on the importance of the Convention and to underscore U.S. concern that it enter into force for all signatories as soon as possible.

Secretary of Commerce William Daley has publicly called for signatories to move forward and ratify the Convention. He has focused special attention on France, Belgium, the Netherlands, and Italy because they repre-

sent almost a quarter of OECD exports. In the first half of 1999, he urged prompt action by all signatories in speeches to a major OECD conference on corruption, an executive session of the Transatlantic Business Dialogue forum, and a meeting of the U.S. chapter of Transparency International, a key nongovernmental organization that supports international antibribery and anticorruption initiatives. Daley also made personal appeals on ratification of the Convention at bilateral meetings with his counterparts and has sent letters to the trade ministers of France, the Netherlands, and Italy, calling for prompt ratification by these governments.

Commerce Under Secretary for International Trade David Aaron has repeatedly raised the issue in his bilateral meetings with signatory governments and at multilateral forums. Before becoming Under Secretary of International Trade, Aaron was the U.S. Permanent Representative to the OECD, where he was instrumental in concluding negotiations that brought the Convention to fruition.

In a May 3, 1999, speech to Latin American business executives and government officials at the Carter Center in Atlanta, Treasury Secretary Robert Rubin called on all signatories that had not ratified and implemented the Convention (noting in particular Latin American signatories) to act promptly to complete their internal process. He said that it was inexcusable that a number of OECD countries still had not eliminated the tax deductibility of bribes.

Secretary of State Madeleine Albright has been deeply involved in the campaign to persuade other countries to make bribery of foreign public officials a criminal offense. She has long felt that the fight against commercial bribery will not only level the playing field for U.S. business, but will also foster stronger democratic institutions and developing economies.

Under Secretary of State Stuart Eizenstat has also been a strong advocate of the Convention. At an OECD-sponsored conference on corruption in February 1999, Eizenstat noted that many of the signatories had not yet ratified the Convention and advised participants that he would be pressing the issue of ratification vigorously with his diplomatic counterparts. Also, as Chairman of the OECD Executive Committee in Special Session, he has made this a top item on the agenda of the November 1998 and May 1999 meetings.

The Clinton Administration will continue to raise the issue of ratification until all signatories have taken the necessary steps to carry out their obligations under the Convention to make the bribery of foreign public officials illegal under their national laws.

Ratification Status of Signatory Countries to the OECD Anti-Bribery Convention (As of June 10, 1999)*

Signatory Country	Ratified	Legislation Approved	Instrument of Ratification Deposited With OECD Secretariat**	Convention Enters Into Force
Totals: 34	16	15	15	
Argentina				
Australia				
Austria	April 1, 1999 (final approval by Parliament)	August 20, 1998 (publication date)	May 20, 1999	July 19, 1999
Belgium	April 29, 1999 (approved by Parliament; awaiting signature)	March 23, 1999 (publication date)		
Brazil				
Bulgaria	June 3, 1998	January 15, 1999	December 22, 1998	February 15, 1999
Canada	December 17, 1998	December 10, 1998	December 17, 1998	February 15, 1999
Chile				
Czech Republic				
Denmark				
Finland	October 9, 1998	October 9, 1998	December 10, 1998	February 15, 1999
France	May 19, 1999			
Germany	November 10, 1998	September 10, 1998	November 10, 1998	February 15, 1999
Greece	November 5, 1998	November 5, 1998 (December 1, 1998 publication date)	February 5, 1999	February 15, 1999
Hungary	December 4, 1998	December 22, 1998	December 4, 1998	February 15, 1999
Iceland	August 17, 1998	December 22, 1998	August 17, 1998	February 15, 1999
Ireland				
Italy				
Japan	May 22, 1998	September 18, 1998	October 13, 1998	February 15, 1999
Korea	December 17, 1998	December 17, 1998	January 4, 1999	February 15, 1999
Luxembourg				
Mexico	April 26, 1999	April 22, 1999	May 27, 1999	July 26, 1999
Netherlands				
New Zealand				
Norway	December 18, 1998	October 27, 1998	December 18, 1998	February 15, 1999
Poland				
Portugal				
Slovak Republic	February 11, 1999 (approved by Parliament; awaiting signature)			
Spain	December 1, 1998			
Sweden	May 6, 1999	March 25, 1999	June 8, 1999	August 7, 1999
Switzerland				
Turkey				
United Kingdom	December 14, 1998	(Need for imple- menting legislation still under review)	December 14, 1998	February 15, 1999
United States	November 20, 1998	November 10, 1998	December 8, 1998	February 15, 1999

*Based on information available to the U.S. government as of June 10, 1999.

**The Convention entered into force on February 15, 1999, for the following twelve signatories: Bulgaria, Canada, Finland, Germany, Greece, Hungary, Iceland, Japan, Korea, Norway, the United Kingdom, and the United States. The Convention will enter into force for all other signatories sixty days after each submits its instrument of ratification to the OECD.

